

IN SENATE OF THE UNITED STATES.

MARCH 15, 1848.

Submitted, and ordered to be printed.

Mr. JOHNSON, of Maryland, made the following

REPORT:

[To accompany bill S. 174.]

*The Committee on Naval Affairs, to whom was referred the memorial of David Myerle, praying compensation for sacrifices and losses sustained by his efforts, under the direction of the Secretary of the Navy, to introduce the process of water-rotting hemp in the western States, have had the same under consideration, and submit the following report:*

That, after a careful examination of the case, they are fully satisfied that the memorialist is justly entitled to relief; and they have adopted, and beg leave to present, as a part of this report, that made by the Committee on Naval Affairs of the House of Representatives at the 1st session of the 29th Congress, being report No. 702, which contains a full statement and history of the claim, as well as an able discussion of the principles involved. That report, and the evidence on which it was founded, shows that the memorialist has conferred a vast and almost inappreciable benefit upon his country, at a great sacrifice of property and years of toil, for which he has received no remuneration.

That the inducements and promises holden out to the memorialist in case of success, impose a clear and unquestionable obligation upon the United States to indemnify him for his losses, and grant him a proper remuneration for his services. They further concur with the committee of the House of Representatives in the opinion that the rejection of the memorialist's hemp was groundless, and a virtual breach of contract, which justly entitles him to relief on that ground also. As to the measure of relief, the committee have had difficulty in meeting the expectations of the memorialist. He has intimated his loss at a sum over one hundred and five thousand dollars, and represents that, had his two contracts been kept in good faith by the government, according to the understanding between him and the Navy Department, as conceded by Mr. Paulding, then Secretary of the Navy, he would have made a profit of

from forty to fifty thousand dollars; making, when added to his losses, over one hundred thousand dollars. If the vast benefits conferred upon the country through the exertions and sacrifices of the memorialist be made a standard of relief, the committee could not hesitate to award the whole sum claimed; but they do not feel authorized to adopt that liberal standard.

In view of the whole case, however, as shown by the evidence, and fully set forth in the report of the House committee, which report Mr. Secretary Paulding declares "*is an exceedingly clear, succinct, and able exposition of the entire subject, and coincides with my [his] recollection, as well as my [his] intention while in the department,*" they think the memorialist has an unquestionable claim to a liberal measure of relief, as well as to the thanks and gratitude of his country; and, in conformity with these views, they have prepared a bill, and recommend the passage thereof.